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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WILLIAM J. WHITSITT,  
Plaintiff,  
v.  
WEST VALLEY STAFFING GROUP, et  
al.,  
Defendants.

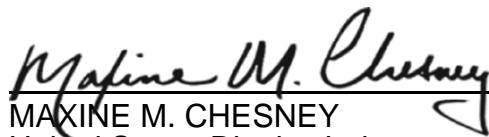
Case No. 16-cv-00797-MMC

**ORDER VACATING HEARING ON  
DEFENDANT TESLA MOTORS, INC.'S  
MOTION TO DISMISS PURSUANT TO  
FRCP 12(B)(3), 12(B)(6), AND 41(B)**

Before the Court is defendant Tesla Motors, Inc.'s ("Tesla") "Motion to Dismiss Pursuant to FRCP 12(b)(3), 12(b)(6), and 41(b)," filed September 21, 2016. Plaintiff William J. Whitsitt has filed opposition, to which Tesla has replied. Having read and considered the papers filed in support of and in opposition to the motion, the Court deems the matter appropriate for determination on the parties' respective written submissions, and hereby VACATES the hearing scheduled for January 13, 2017.

**IT IS SO ORDERED.**

Dated: January 6, 2017

  
MAXINE M. CHESNEY  
United States District Judge